

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BURVIN STEVENSON,

Plaintiff,

CIVIL ACTION NO. 07-CV-14040-DT

vs.

DISTRICT JUDGE DENISE PAGE HOOD

**GEORGE PRAMSTALLER,
et al.,**

Defendants.

MAGISTRATE JUDGE MONA K. MAJZOUB

**OPINION AND ORDER DENYING PLAINTIFF'S MOTION TO
LIMIT SERVICE OF SUMMONSES**

This matter comes before the Court on Plaintiff's "Motion to Limit Service of Summonses" filed on April 7, 2008 . (Docket no. 16). All pretrial matters have been referred to the undersigned for decision. (Docket no. 5). The Court disposes with oral argument on these motions. E.D. Mich. LR 7.1(e). The record does not show that Defendants have been served a summons and copy of the Complaint.¹ No response to this motion has been filed likely because of this lack of service of process. This motion is now ready for ruling.

This is a civil rights action filed by a state prisoner. Plaintiff requests that the Court limit the number of Defendants which he must serve with process in this action. He does not wish to dismiss these Defendants. He reasons that because most of the Defendants will be represented by the Attorney General of Michigan, every state Defendant need not be served. In order for this Court to obtain jurisdiction over a Defendant he must either be served with process or waive service of process pursuant to Fed. R. Civ. P. 4(d). The Court may not simply order that certain Defendants be given notice of the

¹ Plaintiff paid the filing fee and is not proceeding *in forma pauperis*.

action as a substitution for proper service, as Plaintiff proposes. Therefore, Plaintiff's Motion to Limit Service of Summonses will be denied. He may use any method authorized by Rule 4 to properly serve the Defendants or obtain waivers of service from them.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Limit Service of Summonses (docket no. 16) is **DENIED**.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: April 22, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Opinion and Order was served upon Burvin Stevenson on this date.

Dated: April 22, 2008

s/ Lisa C. Bartlett
Courtroom Deputy